

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MAGTEN ASSET MANAGEMENT)	
CORPORATION and LAW DEBENTURE)	
TRUST COMPANY OF NEW YORK,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 04-1494-(JJF)
)	
NORTHWESTERN CORPORATION,)	
)	
Defendant.)	
)	
MAGTEN ASSET MANAGEMENT CORP.,)	
)	
Plaintiff,)	
)	
v.)	C.A. Action No. 05-499 (JJF)
)	
MICHAEL J. HANSON and ERNIE J. KINDT,)	
)	
Defendants.)	

TO: Denise Seastone Kraft
Edwards Angell Palmer & Dodge LLP
919 North Market Street
15th Floor
Wilmington, DE 19801

Stanley T. Kaleczyc
Kimberly A. Beatty
Browning, Kaleczyc, Berry & Hoven, P.C.
139 North Last Chance Gulch
P.O. Box 1697
Helena, Mt 59624

AMENDED NOTICE OF DEPOSITION
(ERNIE J. KINDT)

PLEASE TAKE NOTICE that the date, time and location for deposition of Mr. Kindt (D.I. 136 in Case 04-1494; and D.I. 171 in case 05-499) has changed. Plaintiffs will now take the deposition of Ernie J. Kindt commencing at 1:00 p.m. (Central time) on June 28, 2007 and continuing until completed, at the Holiday Inn City Centre, Embassy II Conference Room, 100 West 8th Street, Sioux Falls, South Dakota 57104 (telephone 605-339-2000). The deposition will

be taken before a notary public or other officer authorized by law to administer oaths, and may be recorded by stenographic and videographic means. Counsel for the parties are invited to attend.

Dated: June 21, 2007

BLANK ROME LLP

Dale R. Dubé

Dale R. Dubé (DE No. 2863)
Bonnie G. Fatell (DE No. 3809)
David W. Carickhoff (DE No. 3715)
1201 Market Street, Suite 800
Wilmington, DE 19801
Telephone: (302) 425-6400
Facsimile: (302) 425-6464

- and -

FRIED, FRANK, HARRIS, SHRIVER &
JACOBSON LLP
Bonnie Steingart
Gary L. Kaplan
John W. Brewer
One New York Plaza
New York, NY 10004
Telephone: (212) 859-8000
Facsimile: (212) 859-4000
Counsel for Magten Asset Management
Corporation

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of June, 2007, I served by hand delivery and electronic filing the AMENDED NOTICE OF DEPOSITION (ERNIE J. KINDT) using CM/ECF which will send notification of such filing(s) to the following:

Denise Seastone Kraft, Esquire
 Edwards Angell Palmer & Dodge LLP
 919 North Market Street, 15th Floor
 Wilmington, DE 19801

Kathleen M. Miller, Esquire
 Smith Katzenstein & Furlow LLP
 800 Delaware Avenue
 P. O. Box 410
 Wilmington, DE 19899

Victoria Watson Counihan, Esquire
 Dennis A. Meloro, Esquire
 Greenberg Traurig LLP
 The Nemours Building
 1007 North Orange Street, Suite 1200
 Wilmington, DE 19801

I also certify that, on this 21st day of June, 2007, I served the aforementioned document, by e-mail and Federal Express, upon the following participants:

Stanley T. Kaleczyc, Esquire
 Kimberly A. Beatty, Esquire
 Browning, Kaleczyc, Berry & Hoven, P.C.
 139 North Last Chance Gulch
 P.O. Box 1697
 Helena, Mt 59624

John V. Snellings, Esquire
 Amanda D. Darwin, Esquire
 Nixon Peabody LLP
 100 Summer Street
 Boston, Massachusetts 02110-1832

Steven J. Reisman, Esquire
 Joseph D. Pizzurro, Esquire
 Nancy E. Delaney, Esquire
 Miriam K. Harwood, Esquire
 Curtis, Mallet-Prevost, Colt & Mosle LLP
 101 Park Avenue
 New York, New York 10178-0061

Dale R. Dubé
 Dale R. Dubé (No. 2863)